

EXHIBIT

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HOUSE		HB 588
RESEARCH		Rangel et al.
ORGANIZATION	bill analysis	(CSHB 588 by Rangel)
	4/15/97	

SUBJECT: Statewide higher education admissions policy

COMMITTEE: Higher Education — committee substitute recommended

VOTE: 8 ayes — Rangel, Solis, Bailey, Cuellar, Dunnam, Kamel, Rabuck, E. Reyna

 0 nays

 1 absent — Rodriguez

WITNESSES: For — Miguel Bedolla; Robert Goad; Al Kauffman, Mexican American Legal Defense Fund; Thomas Larralde; Bobby J. Martinez and Alfonso Menchaca, Mexican American Physicians Association; David Montejano; Ricardo Romo; Oscar de la Torre; Gerald Torres

 Against — None

 On — William H. Cunningham; Leo Sayaverda

DIGEST: CSHB 588 would establish uniform admission and reporting procedures for the state's general academic colleges and universities considering admission applications of first-time freshman students. The bill would require that each institution admit applicants who graduated in one of the two preceding school years from accredited public or private high schools and whose grade point average placed them in the top 10 percent of their graduating class.

 The institutions would review the files of the admitted applicants to determine which applicants would benefit from additional preparation for college-level work or participation in a retention program. Students requiring such work could be required to enroll during the summer following their admission to begin enrichment courses and orientation programs. Students not selected for additional preparation could enroll for the summer term.

 Each academic year, an institution's governing board would have to decide whether to extend the scope of automatic admissions to include students from the top 25 percent of high school graduating classes.

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After admitting either the top 10 or top 25 percent of high school graduating classes, schools would consider other applicants for admission. Students whose GPA did not afford them automatic admission would be permitted to apply to any general academic institution.

CSHB 588 would establish legislative intent that all institutions of higher education pursue academic excellence by considering academic achievement as well as other indicators of performance. In making first-time freshman admissions decisions, schools could consider all or any of a number of other factors, including:

- the applicant's academic record, socioeconomic background, income level, family educational history, and bilingual proficiency;
- the financial status of the applicant's school district and the performance level of the applicant's school, as determined by the school accountability criteria used by the Texas Education Agency;
- the applicant's responsibilities while attending school, including whether the applicant was employed or helped to raise children;
- the applicant's place of residence, whether rural or urban, central city or suburban area, and region;
- the applicant's performance on standardized tests, both isolated and in comparison to other students from similar socioeconomic backgrounds;
- whether the applicant attended any school under a court-ordered desegregation plan or had been admitted to a comparable out-of-state institution;
- the applicant's involvement in community activities and extracurricular activities and commitment to a particular field of study;
- results of a personal interview with the applicant; and

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- any other consideration the institution considers necessary to accomplish its stated mission.

The provisions of CSHB 588 would not apply to institutions with open enrollment policies.

At least one year before the date that applications would be considered under these conditions, schools would have to publish in the catalogues a description of the factors they considered in admissions decisions and make the information available to the public. Each school would have to report annually to the Higher Education Coordinating Board on its freshman class, including a demographic breakdown by race, ethnicity, and economic status.

General academic institutions and medical and dental schools that admitted undergraduate transfer students or graduate, postgraduate, or professional students would also be required to adopt a written admissions policy. The policy would have to be published in the institution's catalog and made available to the public. These institutions would have to adopt and publicize a similar written policy on awarding competitive scholarship or fellowship awards.

The coordinating board could adopt rules for reporting requirements and identifying students eligible for admissions.

The changes proposed by CSHB 588 would apply to applications for admissions and scholarship for the 1998 fall term or semester. The Higher Education Coordinating Board and each affected institution would be required to adopt rules or policies on admission of students by January 1, 1988.

SUPPORTERS
SAY:

CSHB 588 would be a bold step to adapt admissions policies at Texas institutions of higher education to the changing needs of the state's changing population, allowing all students the opportunity to continue their education. Studies have shown that innate intellectual ability is distributed evenly throughout the population, occurring with equal regularity among all racial, ethnic, and socioeconomic groups. The under-representation, therefore, of certain groups in Texas colleges and universities does not indicate these students are unable to succeed in a university setting. Rather,

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it shows that these individuals have not been given an opportunity to show what they can do. CSHB 588 would establish a fair, race-neutral admissions structure providing students from all backgrounds and parts of the state an opportunity to continue their educations.

Admitting the top 10 percent of high school classes would ensure a highly qualified pool of students each year in the state's higher educational system. There is no better predictor of future success than past performance, and all students in the top 10 percent of their classes have shown themselves able to meet the highest standards of scholarship. The group admitted under CSHB 588 would be not only talented, but diverse: about two-thirds of graduating seniors in 1996 represented minority groups.

Automatically admitting the top 10 percent of graduating classes is a common element of higher education admissions policy, currently practiced by schools such as Southwest Texas State University and previously by the University of Texas at Austin. This provision would guarantee universities a high caliber of student while ensuring students who have been successful in high school a place in Texas higher education. The bill would specify that accredited high schools only would be considered; students who have excelled in these schools would be capable students at any college or university in the state.

CSHB 588 would not overinflate college enrollments. For example, only one third of the top 10 percent students even applied to UT Austin in 1996. UT admitted 93 percent of these students, but over half of those students chose not to attend. Admitted students would attend colleges throughout the state and many would go out-of-state, preventing any one university from being flooded with students.

The bill would not harm students from high schools with rigorous academic programs. Schools would be free to admit students not in the top 10 percent of their class by considering other factors that make these students valuable, including the rigor of their high school curriculum.

Many regions of the state, school districts, and high schools in Texas are still predominantly composed of people from a single racial or ethnic group. Because of the persistence of this segregation, admitting the top 10 percent

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of all high schools would provide a diverse population and ensure that a large, well qualified pool of minority students was admitted to Texas universities.

The educational achievement level of a student's parents and their socioeconomic status still continue to be among the foremost predictors of academic achievement. CSHB 588 would help break this cycle, allowing students to achieve greater things than the generation before them did. This strategy would not only assist minority students to whom affirmative action programs were previously targeted but also similarly deserving Anglo students.

CSHB 588 would allow schools to consider "all or any" of the socioeconomic criteria described, providing schools with guidance on reforming admissions policies but allowing them flexibility to comply in the way that best met their individual needs. Furthermore, the bill's reporting requirements would let students know exactly by what criteria they were being judged. These requirements also would keep the coordinating board informed about how admissions screenings were affecting the population of students in Texas' colleges and universities and generally provide an accurate, cohesive picture of whether admissions policies were working across the state.

Even though some colleges and universities currently employ policies that admit the top 10 percent of students and encourage the consideration of socioeconomic factors in the admission of students, many do not. And with higher education admissions procedures contested in the courts and on the federal level, it is prudent to establish a statewide admissions policy that would be clear, legally defensible, and most importantly, fair to all Texas' students.

OPPONENTS
SAY:

CSHB 588 would decree statewide admissions policies that could actually harm institutions that are facing important decisions regarding admissions policies. In the past, the Legislature has wisely left decisions on admissions policies up to the individual schools. Universities should retain the authority to make such decisions and implement policies that best suit their individual needs and that will best help them meet their goals and educate their student bodies.

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Most schools already have policies in place that allow students to demonstrate that grade point average or standardized test scores do not accurately measure their qualifications for admission. UT Austin has freshman admission criteria that provide for consideration of “socioeconomic hardship,” “special circumstances,” and “related factors you tell us about in writing.” At Texas A&M, the admissions policy allows students to submit a written statement describing any special circumstances and requesting a more extensive file review.

Most schools have responded quickly and diligently to the recent changes affecting admissions throughout the Texas system of higher education. The University of Houston, for example, is now granting full file review to about two-thirds of the applications, up from 30 percent. Texas institutions of higher education institutions have proved themselves responsible in the past, and should be allowed to continue determining their own admissions policies.

OTHER
OPPONENTS
SAY:

CSHB 588 would not solve the problems created when the Fifth U.S. Circuit Court of Appeals rejected affirmative action programs in Texas higher education. The employment of race-neutral criteria would not address the reason that affirmative was originally initiated: to overcome prejudice and discrimination and their effects on the educational, professional, and socioeconomic achievements of minorities.

The 1994 disparity study conducted by the General Services Commission indicated that discrimination still affects minorities in this state and that it would be ineffective to try to remedy this problem through race-neutral measures. The Higher Education Coordinating Board also studied the issue, and found that employing race-neutral criteria to increase minority participation in higher education would reach only about half of the minority students that could be reached through race-based policies.

CSHB 588 would do little to change the nature of higher education admissions. The top 10 percent of high school classes would normally be accepted to most schools, even without such a mandate. Furthermore, the list of socioeconomic criteria contained in the bill is preceded by a statement that schools could adopt “all or any” of them. Because the list includes such

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vague criteria as an "applicant's academic record," schools could portray almost any admissions policy as compliant with the bill's provisions.

NOTES:

The committee substitute added a statement of legislative intent to foster academic excellence in all higher education institutions and address demographic trends by considering certain socioeconomic factors in admissions decisions.

The substitute added to the list of alternative criteria the income and performance level of the applicant's high school, an applicant's performance on standardized tests in comparison with other students from similar socioeconomic backgrounds, the applicant's region of residence and type of neighborhood; the applicant's personal interview; the applicant's admission to a comparable out-of-state school; and any other factors an institution considered necessary to accomplish its mission. It also added the provision that schools could annually decide whether to automatically admit the top 25 percent of high school graduating classes, specified that the provisions applied only to first-time freshman students, exempted universities with open enrollment, and required that schools adopt and publicize a written policy on admissions and scholarship decisions.

The substitute deleted the requirement that schools publish the weights given various factors used to decide admissions.

HB 858 by Goolsby, requiring higher education institutions to admit one percent of their freshmen class under an open enrollment policy, passed the House on second reading yesterday.